

March 12, 2010

Christopher M. Kaisershot  
Assistant Attorney General  
445 Minnesota Street  
Suite 1200  
St. Paul, MN 55101-2130

Verdean LeMaster  
LeMaster Restoration, Inc.  
14261 West Burnsville Parkway  
Burnsville, MN 55306

Re: *In the Matter of the Residential Building Contractor License of LeMaster Restoration, Inc., and Verdean LeMaster, individually.*  
OAH Docket No. 3-1902-20840-2  
DOLI File Nos. BC2802381/CMW, BC2900437/CMW,  
BC2900773/CMW

*In the Matter of the Residential Building Contractor License of LeMaster Restoration, Inc., f/k/a LeMaster Construction, Inc.*  
OAH Docket No. 3-1902-20704-2  
DOLI File Nos. BC2801381/CMW, BC2801180/CMW

Dear Mr. Kaisershot and Mr. LeMaster:

I write to confirm that Mr. LeMaster's request for a continuance of the hearing, which is scheduled to take place March 18-19, is denied.

In our telephone conference this afternoon, Mr. LeMaster requested the continuance in order to allow him more time to obtain an attorney. He has spoken to several attorneys but has been unable to fund a retainer. Mr. Kaisershot objected to any further continuance of the hearing on the basis that (1) the Department has received information that Mr. LeMaster's employees continue to represent to the public that the company is a licensed residential building contractor, when the license was summarily suspended in January 2010; (2) after the suspension, Mr. LeMaster accepted a check in the amount of approximately \$70,000 from a residential homeowner to perform licensed work; and (3) Mr. LeMaster has failed to respond to an administrative subpoena requesting him to identify all jobs on which the company is currently working, so that the Department may determine whether the company improperly is engaging in work that requires a license. Mr. LeMaster contended that the administrative subpoena contained no date for compliance; it was improperly served on him, instead of his former bankruptcy attorney; and he was unable to comply with the subpoena because he

lacked the manpower to respond, according to the bank receiver. Mr. Kaisershot contended that the subpoena required "immediate" compliance and was properly served.

As I indicated in our telephone conference, I have concluded that Mr. LeMaster has failed to show good cause under Minn. R. 1400.7500 to continue the hearing. The hearing will proceed as scheduled commencing at 9:30 a.m. on March 18-19, 2010. If Mr. LeMaster is successful in retaining an attorney, the attorney should immediately file a Notice of Appearance.

Sincerely,  
s/Kathleen D. Sheehy

KATHLEEN D. SHEEHY  
Administrative Law Judge  
Telephone: (651) 361-7848